

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15792 of 2019

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Priti Kumari Wife of Sumit Kumar Resident of Village-Bariyahi, P.O. and
P.S.-Simaria, Panchayat 2, Ward No. 10, Block-Barauni, Dist-Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Department, Government of Bihar, Patna
2. The Divisional Commissioner Munger Division, Munger
3. The District Magistrate-cum-Collector, Begusarai
4. The District Program Officer Integrated Child Development Scheme, Begusarai
5. The Child Development Project Officer Barauni, Begusarai
6. Priyanka Bharti Wife of Dharendra Kumar Resident of Village-Bariyahi, P.O. and P.S.-Simaria, Ward No. 8, Panchat Simaria-2, Block Barauni, Dist-Begusarai

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Pandey, Adv.
For the State	:	Mr. S. K. Mandal (SC-3)
		Mr. Bipin Kumar (AC to SC-3)
For Respondent no.6	:	Mr. Ram Sumiran, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 30-09-2024 Heard Learned Counsel for the petitioner, Learned Counsel for the State and Learned Counsel for private respondent no.6.

2. The present writ petition has been filed for the following relief/s:-

“1. For quashing the selection of private Respondent No. 6 on the post of Anganwadi Sevika for Anganwadi Centre No. 231, Gram Panchayat-Simaria-2, Village- Bariyahi, Prakhand-



Barauni, District- Begusarai and appoint the petitioner on the aforesaid post in place of private respondent no.6. II. For quashing the order dated 31.05.2019 in Anganwadi Sevika Case No. 31 of 2016 passed by the District Magistrate-cum-Collector, Begusarai (annexed as Annexure-8).”

3. Learned Counsel for the petitioner submits that the advertisement has been made for selection of *Anganwadi Sevika/Sahayika* at different *Anganwadi* centres in District- Begusarai. Counsel submits that petitioner has submitted her application for selection on the post of *Anganwadi Sevika* for *Anganwadi* Centre No. 231, Gram Panchayat- Simaria-2, Village- Bariyahi, Prakhanda- Barauni, District- Begusarai. Counsel further submits that private respondent no.6 was also appeared in the said selection process and in the form, she has mentioned that she is residing in Ward No.8, and this appointment was for Ward No.10, but even then, she was selected as objection was filed in-spite of the fact that objection was filed that private respondent no.6 does not belongs to Ward No.10. In this regard, the matter has been decided before the DPO, Begusarai and subsequently, before the District Magistrate, Begusarai.



4. Learned Counsel for the petitioner submits that the District Magistrate, Begusarai after hearing the parties has decided in favour of the private respondent and indicated that house of private respondent is situated in Ward No.10 and 8 both which is divided by a 10 feet road, whereas, it has wrongly been decided that petitioner's house is not situated in Ward No.10, rather, her house situated in Ward No.9. Counsel submits that the said finding of the District Magistrate is wrong and without any basis, therefore, interference is required.

5. Learned Counsel for the State on the other hand submits that District Magistrate has taken due precaution for the purpose of deciding this case and for that, he has set-up an enquiry under Senior Deputy Collector and directed him to make a spot enquiry and submit a report. Counsel submits that in the report, it has been intimated by Senior Deputy Collector that residential house of private respondent is situated in Ward No.10 and 8 both. It has also been mentioned in the report that the house of the present petitioner is situated in Ward No.9 which is outside the mapping area of Ward No.10 for which appointment has been made. The said report has been annexed as Annexure-B in the counter affidavit.

6. Learned Counsel for private respondent submits



that both orders i.e. order passed by the DPO, Begusarai and order passed by the District Magistrate, Begusarai have been passed completely in accordance with law and there is no need of any interference.

7. In the light of the submissions made by the parties particularly after going through the report submitted by the Senior Deputy Collector after spot verification, this Court is of the view that there is no merit in the present writ petition. Hence, the present writ petition stands dismissed.

(Dr. Anshuman, J)

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